

translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

PCT/DE2003/001814



Applicant's or agent's file reference 2001P19741WO	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/DE2003/001814	International filing date (day/month/year) 02 June 2003 (02.06.2003)	Priority date (day/month/year) 07 June 2002 (07.06.2002)
International Patent Classification (IPC) or national classification and IPC H04L 12/58		
Applicant SIEMENS AKTIENGESELLSCHAFT		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.  
  
☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).  
 These annexes consist of a total of \_\_\_\_\_ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 19 December 2003 (19.12.2003)	Date of completion of this report 14 September 2004 (14.09.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/DE2003/001814

## I. Basis of the report

### 1. With regard to the elements of the international application:\*

☐ the international application as originally filed

☒ the description:

pages 1-16, as originally filed

pages, filed with the demand

pages, filed with the letter of

☒ the claims:

pages 1-11, as originally filed

pages, as amended (together with any statement under Article 19

pages, filed with the demand

pages, filed with the letter of

☒ the drawings:

pages 1/2-2/2, as originally filed

pages, filed with the demand

pages, filed with the letter of

☐ the sequence listing part of the description:

pages, as originally filed

pages, filed with the demand

pages, filed with the letter of

### 2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language which is:

☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).

☐ the language of publication of the international application (under Rule 48.3(b)).

☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

### 3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

### 4. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages

☐ the claims, Nos.

☐ the drawings, sheets/fig

### 5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\*

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

\*\* Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

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## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

### 1. Statement

Novelty (N)	Claims	2-6, 8, 10	YES
	Claims	1, 7, 9, 11	NO
Inventive step (IS)	Claims		YES
	Claims	1-11	NO
Industrial applicability (IA)	Claims	1-11	YES
	Claims		NO

### 2. Citations and explanations

#### Reference is made to the following document:

D1: WO 02/43414

- 1 D1, which is considered to represent the closest prior art in relation to the subject matter of **claim 1**, discloses (the references in parentheses are to this document):

Process for transmitting text and/or video data with or without audio content in a communications system, in which a quantity of data to be transmitted is combined from individual elements coded according to the same standard or to different standards (combination), data type and/or data format conversion being performed in accordance with a profile of the recipient (page 7, lines 18-28) as per the features of **claim 1**, a reference to maintain the validity of this reference being suitably amended in the data and/or between different data elements according to the data type and/or dataformat conversion (page 20, paragraph 2).

The subject matter of **claim 1** is therefore not novel

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within the meaning of PCT Article 33(2)).

- 2 The same conclusion applies by analogy to independent claims 7, 9 and 11, which contain the same combination of features as shown in claim 1 in the form of device features or make direct reference to this combination of features.
- 3 The additional features defined in dependent claims 2-6, 8 and 10 pertain to details or options obvious to a person skilled in the art concerned with practical realization; some may be found in D1 (e.g. conversion by a service provider of a recipient as per claim 2, page 18, line 22 - page 19, line 29). Said additional features therefore add nothing inventive to the subject matter of claims 1 or 7, either individually or in combination.

The present application therefore fails to satisfy the criterion indicated in PCT Article 33(3) because the subject matter of the claims does not involve an inventive step.

- 4 For the sake of completeness, it may be noted that the introductory part of the description submitted should have cited D1 (PCT Rule 5.1(a)(ii)).